



SPECIAL MEETING

**BOARD OF DIRECTORS
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

Tuesday, December 6, 2022

The Board of Directors conducted this meeting in accordance with California Government Code section 54953(e) and Midpeninsula Regional Open Space District Resolution 21-33.

DRAFT MINUTES

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT**

President Kersteen-Tucker called the special meeting of the Midpeninsula Regional Open Space District to order at 9:01 a.m.

ROLL CALL

Members Present: Jed Cyr, Larry Hassett, Karen Holman, Yoriko Kishimoto, Curt Riffle, and Zoe Kersteen-Tucker

Members Absent: Pete Siemens

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Controller Mike Foster, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Acting District Clerk Maria Soria, Controller Mike Foster, Budget & Analysis Manager Rafaela Duran, Finance Manager Andrew Taylor, Natural Resources Manager Kirk Lenington, Chief Ranger/Visitor Services Manager Matt Anderson, Planning Manager Jane Mark, Land & Facilities Manager Brandon Stewart, Engineering & Construction Manager Jay Lin, Human Resources Manager Candice Basnight, Information Systems & Technology Manager Casey Hiatt, Public Affairs Manager Kori Skinner, Real Property Manager Mike Williams, Budget Analyst I Lupe Hernandez, and Budget Analyst I Elissa Martinez

President Kersteen-Tucker announced this meeting is being held in accordance with Government Code section 54953(e) and Midpeninsula Regional Open Space District Resolution 21-33, allowing Board members to participate remotely. The District has done its best to conduct a meeting where everyone has an opportunity to listen to the meeting and to provide comment. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which

was physically posted at the District's Administrative Office, and on the District website. President Kersteen-Tucker described the process and protocols for the meeting.

Director Pete Siemens joined the meeting at 9:04 a.m.

ORAL COMMUNICATIONS

There were no oral communications.

ADOPTION OF AGENDA

Motion: Director Holman moved, and Director Kishimoto seconded the motion to adopt the agenda.

ROLL CALL VOTE: 7-0-0

BOARD BUSINESS

1. Informational Presentation - Peninsula Open Space Trust Strategic Plan Overview

General Manager Ana Ruiz commented that for the past eight years the Board has reviewed the annual strategic plan goals and objectives alongside the findings of an environmental scan to consider how best to position the District in the upcoming fiscal year to have the greatest impact in accomplishing its goals and mission, and best address the new and emerging needs, challenges and opportunities. Ms. Ruiz introduced Peninsula Open Space Trust (POST) President Walter Moore. Ms. Ruiz stated that Mr. Moore will review their organization's strategic plan, which is important for the District to understand since POST is one of the District's strongest partners.

Mr. Moore presented an overview of POST's updated strategic plan, which included updates to their processes, goals and objectives, and strategies.

Director Riffle stated that the District has worked with POST over the last forty-five years mainly as an acquisition partner. Director Riffle inquired about how POST sees the partnership going forward and whether the District should think or work differently with POST or continue with the same type of partnership.

Mr. Moore stated POST will be looking to the District for guidance in areas such as community engagement, building trust within communities, best utilizing local groups, all of which is relatively new to POST, and to continue to work together in connecting biodiversity and protecting the lands.

Director Holman expressed excitement about POST expanding its community engagement and future discussions on connectivity.

Director Siemens remarked his astonishment at the growth of POST through the years. Director Siemens stated this is his last year on the Board of Directors but looks forward to the continued cooperation between POST and the District in supporting each other's goals in the future.

President Kersteen-Tucker thanked Mr. Moore for the presentation and found it both important and informational.

Public comment opened at 9:48 a.m.

No public comments were submitted.

Public comment closed at 9:48 a.m.

2. 2022 Environmental Scan and Fiscal Year 2023-24 Strategic Plan Goals and Objectives (R-22-137)

Chief Financial Officer Director of Administrative Services Stefan Jaskulak described the purpose and process used to develop the annual environmental scan. Mr. Jaskulak described key themes of the environmental scan, such as the cost-of-living within the District and surrounding areas, mental and physical health concerns for the workforce, the onboarding of two new Board members from Wards 1 and 6, the high costs facing the Wildland Fire Resilience Program along with high competition for in-demand contracted services, the need for sufficient internal capacity to manage new lands and facilities, significant inflation affecting the costs of goods and services, the District's stable financial status, and that Diversity, Equity and Inclusion continues to be of high importance for the community. Mr. Jaskulak continued to review what opportunities could assist with those challenges.

Director Kishimoto inquired what percentage of work is contracted versus completed internally and what are the constraints affecting the Wildland Fire Resilience Program.

Mr. Malone stated contractors are being used for grant work with likely an equal amount of staff conducting the regular work. Currently, forest health is running about 100% contracted out and fuel treatment work is running close to a 50-50 split between contractors and staff.

Ms. Ruiz stated her concerns of having available outside resources to augment internal District resources, given that fuel management work is being pursued simultaneously by so many other organizations, that they too are having internal discussions about whether there are sufficient resources to contract with.

Director Holman expressed concern after reading a section of the report regarding the cost of living and the recruitment challenges stating that the District's high-valued mission may be diminishing in terms of attracting people to consider District employment given the broader statewide focus on preserving the environment.

Mr. Jaskulak explained the pool of people who want to work in government is small compared to the private sector, and that the number of retirements that happened during the pandemic further reduced the labor pool. The District has seen a trend of smaller candidate pools and sometimes there are zero qualified applicants, requiring the District to resolicit. In the past, many applicants would apply because of the mission, but nowadays many seem to balance the mission with pay. Mr. Jaskulak stated the District does stay competitive with neighboring agencies and provides the opportunity for continuing education and hybrid work environment. Moreover, the internship program has been ramped up and expanded into more departments as a pipeline for employment.

Director Holman inquired if there are any studies that show how much job satisfaction is a factor in job selection.

Human Resources Manager Candice Basnight stated that this subject was discussed at a recent labor conference and that job satisfaction is important, but more important in the local region is the cost of living and cost of housing. Ms. Basnight stated the District's competitive edge is the mission, but pay is a significant factor and the District must stay competitive. The District's strategy is to stay ahead of things and to look for ways to attract qualified people who share in the same vision, while also retaining existing staff and developing and implementing succession planning.

Director Hassett suggested the District should consider how fuel load reduction management is structured moving forward as it would save resources and be financially beneficial if more of that work was done internal versus being contracted out.

President Kersteen-Tucker suggested scheduling a Board Retreat in January once the two new Board members join the Board of Directors to discuss the best practices of high functioning boards, and how best to work with staff.

President Kersteen-Tucker suggested that the Financial and Operational Sustainability Model (FOSM) review and update of the 2015 FOSM timeline should be sped up to stay ahead of priority areas of operational growth.

President Kersteen-Tucker suggested the Board should review the mission statement and think about what ecologically sensitive public enjoyment and education entails. The balance between public access and natural resource protection is a continuous struggle and is something the Board might consider deliberating.

Director Siemens suggested designating a trails coordinator staff position focused on trail plans, the visitor trail experience, and closing trail gaps.

Director Siemens suggested picking one trail a year that the District can reroute where slopes are steep. Director Siemens suggested a trail in Sierra Azul that goes from the lower parking lot at Mt. Umunhum and up and over to the Lexington Reservoir; this trail would benefit from rerouting small sections of the trail to reduce erosion and improve the user experience.

Director Riffle stated that ecologically-sensitive public enjoyment includes public accessibility, which is a much broader topic beyond trail alignments and trail construction. Director Riffle stated the District would miss an opportunity if the Board equates ecologically sensitive public enjoyment strictly to trails.

Director Riffle stated the FOSM has been tremendously helpful to the organization and in recent years there have been discussions about updating it. Staff is critical to the organization, next to the land, and its staffing growth has been well informed by the FOSM in prior years.

Director Riffle stated that the District will be expanding geographically with the proposed purchase of its 27th preserve. An important consideration is the geographic expansion of the

District, and its connections with diverse socio-economic communities. Lastly, Director Riffle stated it is worth exploring whether there are areas where staff should be hired instead of contracting out the work, such wildfire management projects.

Director Riffle inquired what is the best forum to have the discussion of ecologically sensitive public enjoyment.

Ms. Ruiz stated this item could be agendaized as a future workshop topic for the Board.

President Kersteen-Tucker commented the item could be added to the board workshop that will be scheduled in January/February.

Mr. Jaskulak gave a brief summary of what the process is to update the FOSM, and stated the contract should hopefully be in place by March.

Public comment opened at 10:44 a.m.

Craig Gleason commented on the Environmental Scan regarding roads and trails, erosion issues, and balancing the cost to maintain them and using the trails as a means to educate communities to the natural environment.

The Board recessed at 10:48 a.m. and reconvened at 11:02 a.m. with all Directors present.

Acting District Clerk Maria Soria mentioned there was an additional public speaker.

Ryan Augustine a member of the Midpeninsula Ranger Peace Officers Association provided comments about what employees look for in job selection and asked the Board to look at why staff are leaving to other agencies. Staff is very well trained and it is important not to lose institutional knowledge and the investment made on the employees.

Public comment closed at a.m. 10:52 a.m.

Mr. Malone reviewed the process used to develop the District's strategic plan, which guides the development of each year's budget and action plan. Mr. Malone reviewed the draft FY23-24 Strategic Plan Goals and Objectives and proposed changes.

Public comment opened at 11:30 a.m.

No public comments were submitted.

Public comment closed at 11:30 a.m.

The Board suggested edits to the FY24 Strategic Plan Goals and Objectives.

The Board recessed at 12:05 p.m. and reconvened at 12:25 p.m. with all Directors present.

President Kersteen-Tucker opened public comment at 1:08 p.m.

Craig Gleason commented he attended a volunteer restoration event with the District and another volunteer event with Grassroots Ecology. He noticed interesting differences between both of the events the District's volunteers are mostly older than him and the Grassroots Ecology volunteers are mostly younger. He asked the District's Volunteer Program Lead is she was training successors and if she had a pipeline of new volunteers joining. Mr. Gleason suggested the District should partner with Grassroots Ecology to attain new volunteers. Mr. Gleason also stated the Woodside Beasts Mountain Bike Team contacted him, they use the District's preserves and they are interested in their kids participating on trail maintenance projects for the trails they use. Mr. Gleason suggested combining land stewardship with trail maintenance to engage the kids in the land that they already experience.

Public comment closed at 1:11 p.m.

Mr. Malone reviewed the proposed edits to the FY24 Strategic Plan Goals and Objectives.

Motion: Director Cyr moved, and Director Hassett seconded the motion to adopt the FY23-24 Strategic Plan Goals and Objectives, as modified.

ROLL CALL VOTE: 7-0-0

3. Board Policy for Closing Measure AA Portfolios and Amending the Expenditure Plan (R-22-138)

Assistant General Manager Susanna Chan provided progress updates on the Measure AA commitments. In 2014, voters approved Measure AA (MAA), which is a 30 year, \$300M general obligation bond to implement 25 priority actions identified in the Vision Plan. These Priority Actions are capital projects grouped into 25 portfolios, organized by geographic area within District boundaries. The MAA Expenditure Plan, which was incorporated as part of the bond measure, lists each portfolio and corresponding Priority Actions along with an estimated funding allocation for each portfolio. The District began using MAA funds in 2014 and Fiscal Year 2021-22 (FY22) marks the completion of the eighth year of funding. The overall MAA completion range is determined by using two different estimation methods for each MAA Portfolio and then calculating a weighted average of all portfolios using two different weighting methods. Ms. Chan stated the estimated overall MAA completion ranges between 25.8% and 44.4% using these two methods. This compares and aligns well to currently being at almost 28% or 8.5 years through the 30-year MAA timeframe. Ms. Chan continued to review the status of the FY19 to FY23 MAA five-year project list and the accomplishments.

Director Hassett inquired if the Bond Oversight Committee (BOC) has been provided this update.

Ms. Chan stated the BOC meets yearly and they receive the Measure AA Annual Accountability Report.

Director Kishimoto expressed her appreciation of the analysis. Director Kishimoto stated that inflation affects the rising costs of materials and the costs to complete projects.

Director Kishimoto suggested the \$10.9M in grant funding should be included in the report, and going forward also tracking additional grant funding and any general funds used in MAA projects.

Mr. Jaskulak reviewed the proposed policy on Procedures for Closing MAA Portfolios and Amending the Expenditure Plan. The proposed policy explains how the District would close a completed MAA portfolio and reallocate any remaining portfolio funds. At the end of every fiscal year, staff would review the accomplishments made for every MAA Portfolio. If all the Priority Actions have been addressed, yet the District has identified projects that further the intent of that portfolio, the portfolio would be deemed substantially complete. If all Priority Actions have been addressed and no future project is anticipated, the portfolio would be deemed complete. District staff is preparing to present a list of proposed Expenditure Plan Amendments to the Action Plan & Budget Committee (ABC) for initial review, upon concurrence by ABC, the proposed amendments would be presented to the Bond Oversight Committee (BOC) for its advisory opinion. ABC concurrence, along with the BOC opinion would then be presented to the full Board of Directors for consideration of approval by at minimum a two-thirds majority vote at a publicly noticed meeting to adopt the Expenditure Plan Amendments.

Director Kishimoto inquired if there is a process of retaining funds in a portfolio for a project that requires repairs.

Mr. Jaskulak stated it depends on the project, if the project is a capital improvement project funding could be left in the portfolio and staff could identify the amount, otherwise it would be funded by the general fund as maintenance.

Director Riffle expressed his concern of shifting funds from an incomplete MAA portfolio to another underfunded MAA portfolio and about the commitments that has been made to the public.

Mr. Jaskulak stated this process is not a typical circumstance but provides the flexibility to shift funds into other portfolios that may be overfunded. Also, any funds that are shifted will be presented to the ABC then to the BOC and finally to the Board for approval by a two-thirds majority vote.

Public comment opened at 1:55 p.m.

No public comments were submitted.

Public comment closed at 1:55 p.m.

Director Riffle commented shifting the funds makes sense and understands the need for flexibility but wants to ensure there is transparency to the public if funds are to be shifted.

Motion: Director Kishimoto moved, and Director Cyr seconded the motion to approve the General Manager's recommendation on Board Policy for Closing Measure AA Portfolios and Amending the Expenditure Plan.

ROLL CALL VOTE: 7-0-0

President Kersteen-Tucker reviewed the topics suggested by the board to ensure they are captured in the minutes. The topics include scheduling a Board Workshop early in the upcoming year. Ms. Ruiz stated she will work with President Kersteen-Tucker and Vice-President Kishimoto on the logistics of the workshop. In addition, adding an agenda item for the upcoming

Board Workshop or at a future Board meeting to discuss the balance between Natural Resource Protection with Ecologically Sensitive Public Enjoyment and Education. Adding the Cloverdale property as either an opportunity or a challenge to the Environment Scan, scheduling a future study session on youth engagement, and lastly to consider the discussion of expanding the geographic scope of the organization.

Director Holman thanked the Board and staff for all of their work on behalf of the public and more importantly on behalf of nature for their efforts in protecting the environment and wildlife and stated she is proud to be a part of the organization.

Director Kishimoto commented she has been approached by other organizations to use the Districts new administrative office and stated the District could play a larger role in convening the environmental community in the new building.

Director Riffle complimented staff for their work and thanked Ms. Ruiz for inviting Mr. Moore to present their environmental scan to hear about their goals, programs, and how it all applies to the District. Also, he looks forward to expanding the District's partnerships and reiterated the importance of updating the FOSM, which is fundamental to the District's continued progress.

Director Hassett stated this is his last year serving on the Board and that he is grateful the District is in good hands with the staff and the two incoming Directors.

Director Siemens commented he appreciated working with the current board, past board and talented staff, and is looking forward to seeing the outcomes in the future.

ADJOURNMENT

President Zoe Kersteen-Tucker adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 2:04 p.m.

Maria Soria, CMC
Acting District Clerk